

**LOCAL PLANNING AGENCY
JANUARY 11, 2006**

1. ROLL CALL

The meeting was called to order at 9:38 p.m. Board members present were Chair Mike Bender, Marlon Luis, and John Stevens. Also present were Town Attorney Monroe Kiar, Planning and Zoning Manager Bruce Dell, Deputy Planning and Zoning Manager Marcie Nolan, Planners Chris Gratz and Ingrid Allen, and Board Secretary Janet Gale recording the meeting. Vice-Chair Scott McLaughlin and Mimi Turin were absent.

2. APPROVAL OF MINUTES: November 9, 2005

Mr. Stevens made a motion, seconded by Mr. Luis, to approve the minutes of November 9, 2005. In a voice vote, with Vice-Chair McLaughlin and Ms. Turin being absent, all voted in favor. **(Motion carried 3-0)**

3. PUBLIC HEARING

- 3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL APPLICATION LABC-05-1A, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY ADDING THE LAND USE CATEGORY "TRANSIT ORIENTED CORRIDOR" AND ADDING NEW POLICIES RELATING TO THE TRANSIT ORIENTED CORRIDOR DESIGNATION; BY CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN LANDS FROM: "INDUSTRIAL", "COMMERCIAL", "COMMERCE/OFFICE", "COMMUNITY FACILITY", "RECREATION AND OPEN SPACE", "TRANSPORTATION", "UTILITY", "RESIDENTIAL 5 DU/ACRE" AND "RESIDENTIAL 10 DU/ACRE" TO: "TRANSIT ORIENTED CORRIDOR"; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Ms. Nolan advised that the presentation was for a large scale land use plan amendment for the entire State Road 7 Corridor which extended from the northern boundary of the Town by I-595, south to the Seminole Casino Reservation, west to the Florida Turnpike, and east to State Road 7. She introduced consultant David Dahlstrom of the South Florida Regional Planning Council, who provided the PowerPoint presentation on the Master Plan for the Davie/Hollywood/Seminole Nation, State Road 7/U.S. 441 Transit Oriented Corridor, (SR 7 - TOC).

Mr. Dahlstrom explained that the Master Plan for the SR 7 - TOC extended from the County line at the north to the County line at the south, and this involved approximately 15 jurisdictions. He advised that the Town Council had seen the entire presentation and in an effort to save time, this portion dealt with the segment pertaining only to the Town.

Upon completion of the presentation, Mr. Dahlstrom summarized that the land use amendment was consistent to create the mix of uses for a transit oriented corridor. He advised that on September 9th, the Council had directed that the proposal be moved forward.

Ms. Nolan advised that this new land use category would take approximately 18 months to be developed and spoke of the steps involved in the process. She stated the advantages in the flexibility of this land use category. Ms. Nolan spoke on the intense density and other pros and cons of the amendment in an effort to present an accurate depiction of what was being proposed.

Chair Bender asked if the Police and Fire Departments reviewed the plan. Ms. Nolan responded affirmatively and spoke of the necessity to provide ample water pressure to accommodate the requirements of the Fire Department. She advised of meetings to be scheduled among the various departments in order to discuss plans to devise the infrastructure needed to support this development.

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Chair Bender asked if anyone wished to speak for or against this item.

Collins Forman, 1323 SE Third Avenue, spoke on behalf of his family who were landowners of a substantial amount of property within the proposed area. He had not been apprised that the SR-7 TOC went as far west as the turnpike and, therefore, regretted that he had not participated in the Charrettes which were held prior to developing the plan.

Mr. Forman believed that the Regional Activity Center should be considered in the plan as it would be directly impacted by the implementation of a bridge which was proposed in the SR-7 TOC plan. He expressed that while he believed this plan was developed in good faith and would not only benefit the Town, but all of Broward County, he felt it was a little precipitous and short sighted as it did not take into account the development on the "west side of the road."

Mr. Forman spoke of the residential density allocation being 31 residential units-per-acre and advised that at the intersection of Oakland Park Boulevard and State Road 7, he would be allowed to develop 50 residential units-per-acre. His calculations indicated that the Town was not offering much of an incentive to develop residential units. Mr. Forman expressed that the amendment did not benefit his family's investments and probably created some problems. Mr. Forman pointed out other concerns from the perspective of a landowner and business owner and he indicated that it was important for the Town to consider those issues. His final concern regarded industrial uses within the area as his interpretation of the proposal appeared to contradict Ms. Nolan's statement that industrial uses would be increased.

Mr. Forman concluded that he would have to object based on the concern that the value of the investments would be removed by the Town through a legislative fiat.

Larry Danielle, indicated that he owned approximately "40-something" acres in the subject area. He agreed with the aforementioned issues Mr. Forman addressed. Mr. Danielle's major concern was what would happen with his business, his 82 employees, and with the service he was providing to the County. He objected to moving forward with the proposal until it could be worked out with all parties involved and until it was crystal clear which direction was being taken regarding the use of properties, value of properties, vested rights in those properties, and future of those properties.

Chris Wallace, 4801 South University Drive, spoke in favor of the land use amendment. He believed that the area was under utilized and that the tax base would be substantial. Mr. Wallace agreed with Mr. Forman that the density should be increased and that it would eventually happen. He expressed that the area was appropriate for the uses and the least controversial for the Town. Mr. Wallace believed that the Regional Activity Center could work well with this plan rather than hold up this plan.

Community Redevelopment Administrator Will Allen indicated that the Community Redevelopment Agency was in support of this effort. He explained how they arrived at the proposal for 31 residential units-per-acre.

Karen Stenzel-Nowicki, 5480 SW 55 Avenue, provided background information pertaining to her participation in the development of the proposed project. She supported the vision of the SR 7 – TOC and addressed two of the "hurdles" the Town had to overcome – noise and crime. Ms. Stenzel-Nowicki asked that these issues be considered in the land use amendment proposal.

Lisa Hensley, 1500 San Remo Avenue, spoke in support of the SR 7 – TOC.

As there were no other speakers, Chair Bender closed the public hearing.

A lengthy discussion ensued and Ms. Nolan clarified several aspects of the proposal for the better understanding of the intent of the amendment. She explained how minimum density was proposed in order to initiate approval; however, in the long-term evolution of the project, as items were done properly and successfully, requests for increased densities could be made and granted accordingly.

Mr. Stevens expressed that this was an ideal location for the proposal.

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Agency members asked about other municipalities involved along the corridor and their responses to the proposal. Mr. Dahlstrom provided the information.

Chair Bender stated that he was troubled with the possibility of enforcing eminent domain. He wanted assurances that for the people who were there, whatever they were doing, that their property rights were absolutely protected.

Mr. Dahlstrom stated that one of the recommendations of the plan was not to use eminent domain.

Mr. Stevens made a motion, seconded by Mr. Luis, to approve subject to eminent domain not being used and that property owners had their property rights vested and protected. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair McLaughlin – absent; Mr. Luis – yes; Mr. Stevens – yes; Ms. Turin – absent. **(Motion carried 3-0)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

There was no new business discussed.

6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 11:10 p.m.

Date Approved: _____

Chair/Agency Member